EXHIBIT E

Charles A. Weiss
Marisa Marinelli
HOLLAND & KNIGHT LLP
31 West 52nd Street
New York, NY 10019
Tel: (212) 513-3200
Fax: (212) 385-9010
Charles.Weiss@hklaw.com
Marisa.Marinelli@hklaw.com

Attorneys for Plaintiff,
Bionpharma Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BIONPHARMA INC., Plaintiff, v. CORERX, INC., Defendant.	Case No. 1:21-cv-10656 **PUBLIC REDACTED VERSION**

DECLARATION OF VENKAT KRISHNAN
IN SUPPORT OF PLAINTIFF BIONPHARMA INC.'S
MOTION FOR PRELIMINARY INJUNCTION

I, Venkat Krishnan, declare as follow:

1. I am the President and Chief Executive Officer of Bionpharma Inc. I have held this position since Bionpharma was formed in November 2014. My responsibilities include oversight of all aspects of Bionpharma's business, ranging from the sourcing of raw materials for use in the manufacture of pharmaceutical products, identification and negotiation with partner manufacturers, and sales and distribution of Bionpharma's products. I have worked in the generic pharmaceutical industry since 1997, and thus had approximately 17 years of experience in this industry prior to joining Bionpharma.

2. I submit this Declaration in support of Bionpharma's Motion for a Preliminary Injunction.

3. I have personal knowledge of the following facts and, if called to testify, I could and would testify competently to the matters stated herein.

4. Bionpharma is a generic pharmaceutical company, founded in 2014 to develop and commercialize affordable, quality generic drugs. Bionpharma's business model is to partner with pharmaceutical manufacturers; Bionpharma will maintain responsibility for sourcing active ingredients, regulatory approval of the drug product, and sales and distribution of the drug product. These products are approved for commercial marketing in the United States under abbreviated new drug applications submitted to the FDA by Bionpharma, and distributed under the Bionpharma label.

Bionpharma's Product and Relationship with CoreRx

5. In August 2018, Bionpharma submitted Abbreviated New Drug Application ("ANDA") No. 212408 ("Bionpharma's ANDA") to the FDA, seeking regulatory approval to market a enalapril maleate oral solution product (Bionpharma's "Product"), generic to

value by giving Bionpharma inroads to major customers and providing opportunities for Bionpharma to sell its other product.

34. It will cost Bionpharma hundreds of thousands of dollars, and take at minimum nine months to identify and bring online an alternate source of Product. Additionally, many of the raw materials needed to manufacture and package the product are not readily available. The new manufacturer must have an FDA-qualified manufacturing site for liquid-dose products. The tech transfer process is also fraught with risk; if new manufacturer's test batches do not meet all quality standards, the transfer process must be scrapped and re-started. Once test batches are successfully made, those batches must be set aside for several months of stability studies. Bionpharma is currently engaged in attempting to transfer the product as soon as possible, but there is a struggle to get the raw materials required for preliminary testing. After repeated requests, Bionpharma was able to obtain from CoreRx small quantities of the enalapril active ingredient and certain other raw materials (but not all) for this preliminary testing by potential new manufacturers of the product. Attached hereto as **Exhibit O** is a true and correct copy of email correspondence between Bionpharma and CoreRx concerning transfer samples of these raw materials. Nevertheless, these emails clearly show that CoreRx retains far more raw material than it needs to manufacture the Product should this injunction be entered, and it is going to take a long time for Bionpharma to identify an acceptable new manufacturer for the Product before initiating the transfer.

The Public Benefits from Bionpharma's Product and is Harmed by CoreRx's Breach

35. As with enalapril tablets, a product approved decades ago, Bionpharma's Product is indicated for the treatment of cardiac conditions. However, many children also

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: December 13, 2021

Venkat Krishnan